

UNITED STATES DISTRICT COURT

for the

Southern District of Ohio

Civil Division

Phillip R. Dilts DVM

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Ohio Veterinary Medical Licensing Boardand
Ohio Professional Health Program

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Case No.

(to be filled in by the Clerk's Office)

MAY 30 2025 10 AM P

MAY 30 2025 10 AM P

Jury Trial: (check one) Yes NoJUDGE WATSON

MAGISTRATE JUDGE VASCURA

COMPLAINT FOR A CIVIL CASE

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name
Street Address
City and County
State and Zip Code
Telephone Number
E-mail Address

Phillip R. Dilts DVM
18436 Knox Lake Rd
Fredericktown
Ohio 43019
740-390-1866
olddocphil@gmail.com

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Defendant No. 1

Name

Ohio Veterinary Medical Licensing Board

Job or Title (*if known*)

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address (*if known*)

77 S. High St 16th Floor
 Columbus Franklin
 Ohio 43215
 614-644-5281
 Jacob.bell@ovmlb.ohio.gov

Defendant No. 2

Name

Job or Title (*if known*)

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address (*if known*)

Ohio Professional Health Program

130 E. Chestnut St # 200
 Columbus Franklin
 Ohio 43215
 614-841-9690
 klong@ohiophp.org

Defendant No. 3

Name

Job or Title (*if known*)

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address (*if known*)

Defendant No. 4

Name

Job or Title (*if known*)

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address (*if known*)

II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? (*check all that apply*)
 Federal question

 Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

The 14th Amendment of the U.S. Constitution.

B. If the Basis for Jurisdiction Is Diversity of Citizenship

N/A

1. The Plaintiff(s)

a. If the plaintiff is an individual

The plaintiff, (name) _____, is a citizen of the State of (name) _____.

b. If the plaintiff is a corporation

The plaintiff, (name) _____, is incorporated under the laws of the State of (name) _____, and has its principal place of business in the State of (name) _____.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)

a. If the defendant is an individual

The defendant, (name) *Ohio Vet Med Licensing Bd* _____, is a citizen of the State of (name) *Ohio* _____. Or is a citizen of (foreign nation) _____.

b. If the defendant is a corporation

The defendant, (name) *Ohio Professionals Health Program* _____, is incorporated under the laws of the State of (name) *Ohio* _____, and has its principal place of business in the State of (name) *Ohio* _____. Or is incorporated under the laws of (foreign nation) _____, and has its principal place of business in (name) _____.

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because (explain):

Plaintiff has suffered compensatory, economic damages of over \$117,000, to date and Plaintiff is requesting general and exemplary damages, all as a direct result of Defendants' actions stated below.

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

Plaintiff and OVMLB entered into a Settlement on 8/14/24, which gives OhioPhp authority per Plaintiff per OVMLB. CLAIM 1- Both Defendants failed to follow standard practices (according to Ohio laws) in exercising their authority over Plaintiff, which resulted in the loss of Plaintiff's vet license. Consequently, Defendants' actions deprived Plaintiff of equal protection under the Law, procedural and substantive due process. The Ohio laws violated by Defendants are attached as Exhibits A1-6.

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

Plaintiff seeks a jury trial in this action. Plaintiff requests an Order that awards him: the reinstatement of his vet license, compensatory damages in the minimum amount of \$117,000; exemplary and general damages and such other relief as the Court deems just and proper.

V. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing:

5/30/25

Signature of Plaintiff

Philip K. Ditts DVM

Printed Name of Plaintiff

Dr. Philip R. Ditts

B. For Attorneys

Date of signing:

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Street Address

State and Zip Code

Telephone Number

E-mail Address

ORC 119.06

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OHIO LAWS
LEGISLATIVE SERVICE COMMISSION

HOUSE BILL 55 - 132nd General Assembly

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No adjudication order of an agency shall be valid unless the agency is specifically authorized by law to make such order.

No adjudication order shall be valid unless an opportunity for a hearing is afforded in accordance with sections 119.01 to 119.13 of the Revised Code.

Such opportunity for a hearing shall be given before making the adjudication order except in those situations where this section provides otherwise.

The following adjudication orders shall be  valid without a hearing:

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OHIO LAWS

LEGISLATIVE SERVICE COMMISSION

(A) The board may establish a confidential, non-disciplinary program for the evaluation and treatment of eligible persons who need assistance with a potential or existing impairment due to a mental health and/or substance use disorder. This program shall be known as the board's safe haven program.

(B) The board may refer any veterinarian or registered veterinary technician to the Ohio professionals health program or a comparable organization approved by the board, for support and assistance with  ~~cooperation of the treatment of that~~ veterinarian or registered veteri

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OHIO LAWS

LEGISLATIVE SERVICE COMMISSION

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(G) The board shall not institute disciplinary action based on a safe haven program participant so long as the participant enters into an agreement with the monitoring organization and complies with the same. The presence of potential or existing impairment due to a mental health and/or substance use disorder shall not excuse acts or preclude investigation or disciplinary action against a participant for other violations of this chapter.

(H) The monitoring organization shall report to the board for further investigation and/or action any participant who is unwilling or



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OHIO LAWS

LEGISLATIVE SERVICE COMMISSION

(C) Except as provided in division (F) of this section, before the board may revoke, deny, refuse to renew, or suspend a license, registration, or temporary permit or otherwise discipline the holder of a license, registration, or temporary permit, the executive director shall file written charges with the board. The board shall conduct a hearing on the charges as provided in Chapter 119. of the Revised Code.

(D)(1) Except as otherwise provided in division (D)(2) of this section, if the board, after a hearing conducted

 pursuant to Chapter 119. of the Revised Code revokes, refuses to renew,

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(B) Any person whose license, registration, or temporary permit has been revoked for a violation of section 4741.18, 4741.22, or 4741.23 or division (A), (C), or (D) of section 4741.19, division (A) of section 4741.20, or division (B) or (D) of section 4741.21 of the Revised Code, shall be permanently barred from practicing veterinary medicine or holding a license to practice veterinary medicine or holding a registration as a registered veterinary technician in this state → for a subsequent violation of any of such provisions. The board shall, by certified mail, notify all other state veterinary licensing boards of permanent revocation actions.

(C) Any person whose license or temporary permit to practice veterinary medicine is suspended or revoked is an unlicensed person.



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The state veterinary medical licensing board shall adopt rules in accordance with Chapter 119. of the Revised Code establishing standards for approving and designating physicians and facilities as treatment providers for veterinarians with substance abuse problems and shall approve and designate treatment providers in accordance with the rules. The rules shall include standards for both inpatient and outpatient treatment.

The rules shall provide that to be approved, a treatment provider must be capable of making an initial examination to determine the type of treatment required for a veterinarian with substance abuse problems.

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